

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)

v.)

PETER GUNNING)

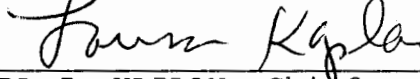
Criminal No. 04-CR-10392-EFH

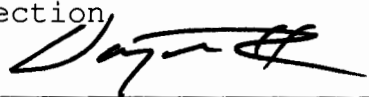
**DISMISSAL OF PETER GUNNING
FROM COUNT ONE OF THE INDICTMENT**

Pursuant to FRCP 48(a), the United States Attorney for the District of Massachusetts, Michael J. Sullivan, hereby dismisses the defendant PETER GUNNING from Count One of the Indictment which charges him with theft of mail, in violation of 18 U.S.C. §1709. In support of this dismissal, the government states that after this Court granted the defendant's motion to suppress certain evidence, the government will not be able to prove its case beyond a reasonable doubt.

Respectfully submitted,


MICHAEL J. SULLIVAN
United States Attorney

By: 
LAURA J. KAPLAN, Chief
Violent & Organized Crime
Section


S. WAQAR HASIB
Assistant U.S. Attorney

Leave to File Granted:

Edward F. Harrington, Judge
United States District Court